

Before the
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Revision of the Commission's Rules)
To Ensure Compatibility with)
Enhanced 911 Emergency Calling Systems)

CC Docket No. 94-102
WT Docket No. 00-80
DA 00-1098

To: The Wireless Telecommunications Bureau

COMMENTS

BellSouth Corporation ("BellSouth"), on behalf of its Commercial Mobile Radio Service ("CMRS") subsidiaries and affiliates, responds to the Commission's Public Notice, dated May 18, 2000 (DA 00-1098) ("PN"). In that PN, the Commission sought comments on the request by the Public Safety Entities¹ to "seek additional comment concerning call back capabilities for non-serviced initialized handsets and [to] address whether further Commission action, such as technical solutions or educational programs, is needed or appropriate."² For the reasons stated below, BellSouth believes the Commission should forego pursuing technical solutions at this time.

The Public Safety entities state that "[t]he increasing number of wireless telephones that may be used to call 9-1-1 without valid call back information and the call disconnection issues associated with the use of wireless telephones creates a public safety

¹ The Public Safety Entities include: the Texas 911 Agencies, the National Emergency Number Association ("NENA"), the Association of Public-Safety Communications Officials-International, Inc. ("APCO"), and the National Association of State Nine-One-One Administrators ("NASNA").

² PN at 2.

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concern that should be further considered in this proceeding."³ The Commission recognized that these problems would exist. As it noted, SBMS had shown that "substantial development work by switch manufacturers, along with network reconfigurations by wireless carriers, would be required to allow carriers to provide reliable call back numbers for all wireless 911 calls."⁴ Thus the Commission was well aware of the problems associated with passing 911 calls from non-service initialized handsets when it made its decision. The FCC also must have anticipated that use of non-service initialized handsets to call 911 would increase over time, so this is not a new development, and certainly not a reason to revisit the record on which the Commission based its original decision.⁵ Nothing has changed regarding the use of non-service initialized handsets since the FCC made its decision not to pursue additional technical solutions to the callback problem.

Even if there were a reason to revisit the issue, this would be a particularly bad time to begin that process. Efforts to design, develop and implement a technical solution to the callback problem for non-service initialized handsets would significantly divert manufacturer and carrier resources from higher priority activities. The wireless industry is actively implementing Phase I and also deeply engaged in developing and implementing difficult Phase II location requirements which the Commission has mandated.

³ Letter from Messrs. Rupaco T. Gonzalez, Jr. and Richard A. Muscat to Ms. Magalie Roman Salas, dated April 28, 2000, at 3.

⁴ *Revisions of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, 12 FCC Rcd 22665, 22718, para. 110 (1997).

⁵ *Revisions of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, 11 FCC Rcd 18676, 18694, paras. 35-6 (1996).

BellSouth is aware that some phones are being manufactured and sold only to place E 911 calls and that some of these phones do not include a Mobile Identification Number ("MIN") nor a unique Electronic Serial Number ("ESN"). Because there is no unique identifier associated with these handsets, it may not be possible to develop a 911 callback solution. BellSouth does not believe it is timely or prudent for the Commission to commit industry resources to searching for a solution to this callback problem.

The appropriate resolution to this issue is the education of users. The Commission should encourage those distributing wireless phones that will be used in a non-service initialized mode to call 911 to clearly inform the potential users that they cannot be called back by a 911 service provider, even if they are disconnected in the middle of a call. Users of such phones should be advised that the burden is theirs to establish the call to a 911 agency. In addition, they should be informed that if they want callback capability, their most reliable alternative is to establish a service relationship with a wireless carrier.

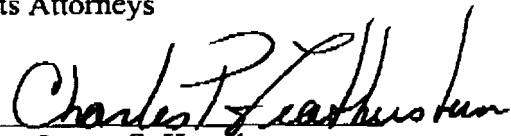
In today's competitive market, there are many low cost "security packages" available to people who subscribe to a carriers' wireless service. These subscriptions ensure the ability for E911 callback. In addition, prepaid wireless services offer a low cost alternative that includes E911 callback in the home service area.

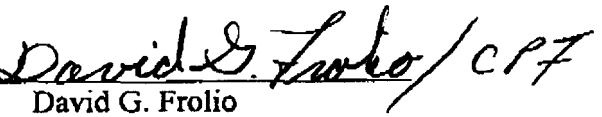
CONCLUSION

For the reasons set forth above, the Commission should defer from revisiting the issue of callback capabilities at this time.

Respectfully submitted,

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June 19, 2000

CERTIFICATE OF SERVICE

I do hereby certify that I have this 19th day of June 2000 served the following parties to this action with a copy of the foregoing COMMENTS OF BELLSOUTH CORPORATION by hand delivery or by placing a true and correct copy of the same in the United States Mail, postage prepaid, addressed to the parties listed on the attached service list.


Ann Mittelstead

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